

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JANE DOE,

Plaintiff,

Case No. 24-cv-221-pp

v.

KARLOS SORIANO-CABRERA
and CAVICHE, INC.,

Defendants.

**ORDER GRANTING PLAINTIFF'S MOTION TO PROCEED USING
PSEUDONYM (DKT. NO. 24)**

On February 19, 2024, the plaintiff—using the pseudonym “Jane Doe”—filed a complaint against defendants Karlos Soriano-Cabrera and Caviche, Inc., alleging sex discrimination in violation of Title VII of the Civil Rights Act of 1964, as well as state-law claims of assault and battery. Dkt. No. 1. Approximately two months later, the court issued a text-only order, informing the plaintiff that the court’s Civil Local Rule 10(c) addresses the use of pseudonyms and states that “[w]ithin 21 days of service of the complaint, the party [using a pseudonym] must file and serve a motion seeking to continue to proceed using a pseudonym.” Dkt. No. 17 (quoting Civil L.R. 10(c) (E.D. Wis.)). Noting that the plaintiff had not yet filed such a motion, the court ordered her to do so by April 26, 2024. *Id.* On May 3, 2024, after receiving an extension of time, the plaintiff filed a motion asking leave to continue using the Jane Doe

pseudonym. Dkt. No. 24. The defendant has not responded to the plaintiff's motion.

The court's docket is presumptively public and a district court "judge has an independent duty to determine whether exceptional circumstances justify . . . a departure from the normal method of proceeding in federal courts." Doe v. Blue Cross & Blue Shield United of Wis., 112 F.3d 869, 872 (7th Cir. 1997). But a plaintiff can rebut this presumption by showing that the harm of identification exceeds the harm of anonymity. Doe v. City of Chicago, 360 F.3d 667, 669-70 (7th Cir. 2004). The Seventh Circuit has recognized that victims of sexual assault are among those who may appropriately proceed under pseudonym. Blue Cross & Blue Shield, 112 F.3d at 873; see also Doe v. St. Clair County, Case No. 18-cv-380, 2018 WL 1071744, at *1 (S.D. Ill. Feb. 26, 2018) (finding in a case involving sexual assault that "the highly sensitive, personal nature of the alleged harm . . . outweighs the public interest in requiring Plaintiff to disclose her identity").

The plaintiff "believes the harm she would suffer if her identity was disclosed outweighs the public interest in an open trial." Dkt. No. 24 at 2. She explains that this lawsuit stems from allegations that her former employer, defendant Soriano-Cabrera, sexually assaulted her. Id. at 1. And she explains that at the time she filed her motion, she was a victim in an ongoing criminal proceeding against the defendant in Milwaukee County Circuit Court, "where her identity had similarly not been disclosed." Id. at 2. The publicly available docket in the defendant's related Milwaukee County criminal case reflects that

on June 7, 2024, a jury found the defendant guilty of three counts of third-degree sexual assault and one count of fourth-degree sexual assault. State v. Soriano-Cabrera, Case No. 2023CF001481 (Milwaukee County Circuit Court), available at wcca.wicourts.gov. That docket also reflects that each of the victims in that case—including the plaintiff—proceeded under pseudonym. Id.

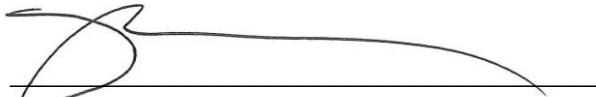
The court finds that the sensitive and personal nature of the alleged harm outweighs the public interest in requiring the plaintiff to disclose her identity. The defendant's state criminal case received local media attention, and it appears that neither the court nor the media identified the plaintiff by name in that related criminal prosecution. The plaintiff has met her burden of showing that the harm of identifying her name outweighs the harm of concealing her name from the public.

The court **GRANTS** the plaintiff's motion to proceed using the pseudonym, Jane Doe. Dkt. No. 24.

The court **ORDERS** that the parties must continue to use the pseudonym Jane Doe for the plaintiff in all pleadings and other filings.

Dated in Milwaukee, Wisconsin this 19th day of August, 2024.

BY THE COURT:



HON. PAMELA PEPPER
Chief United States District Judge